

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

JOHN HEARD,

Petitioner,

vs.

Civ. No. 19-497 KG/GJF

KEN SMITH,

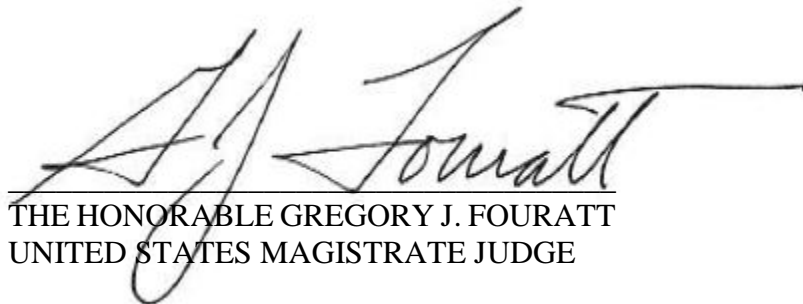
Respondent.

ORDER TO CURE DEFICIENCY

Petitioner has submitted a habeas corpus petition. The Court determines that Petitioner's submission is deficient because Petitioner has not paid the \$5 filing fee or filed an Application to Proceed in District Court Without Prepaying Fees or Costs. Petitioner's envelope included a purchase order for the \$5 filing fee, but no \$5 was included in the envelope. Petitioner must cure this deficiency within thirty (30) days from entry of this Order by *either* paying the full \$5 filing fee *or* submitting an Application to Proceed in District Court Without Prepaying Fees or Costs. See 28 U.S.C. § 1915(a)(1). Failure to cure the designated deficiency within thirty (30) days from entry of this Order may result in dismissal of this action without further notice.

IT IS ORDERED that within thirty (30) days of entry of this Order, Petitioner *either* pay the full \$5 filing fee *or* submit an Application to Proceed in District Court Without Prepaying Fees or Costs; and the Clerk is directed to mail to Petitioner a copy of this order and 2 copies of an Application to Proceed in District Court Without Prepaying Fees or Costs with instructions.

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE